

REMARKS

Claims 129 and 140-142 are pending. In an Office Action mailed March 27, 2007, claims 129, 140 and 141 were rejected as obvious over Rosenblatt (U.S. Patent No. 6,711,548). This Amendment amends claims 129 and 140 and adds claims 142-143. No new matter has been added.

Applicant thanks the Examiner for the courtesy extended to Applicant's representative at the personal interview conducted July 18, 2007. At the interview, amendments and arguments consistent with those presented herein were discussed.

Claim 129 recites, in relevant part, receiving **pre-scheduled flight data** from owners of the private aircraft. Claim 140 recites, in relevant part, a service to receive from each airplane owner **flight availability of a pre-scheduled flight**. Thus, according to the claimed features, pre-scheduled flights may be made available to travelers using a reservation service. For example, an empty leg flight of an origin-destination pair often will occur regardless of whether any passengers are scheduled for the flight, but the private aircraft owner may wish to book passengers for the empty leg to improve efficiency, increase profit, or other reasons. To do so, the owner may make the pre-scheduled empty leg flight available to independent passengers wishing to travel on the empty leg route. This example is described in further detail at page 1, line 27 through page 2, line 27 and throughout the specification.

In contrast, Rosenblatt describes a system in which flights are scheduled based on traveler requests. There is no suggestion that flights should be pre-scheduled by aircraft owners, or that aircraft owners should provide pre-scheduled flight data to a reservation service. In fact, Rosenblatt teaches away from using pre-scheduled flights, since Rosenblatt's flights are scheduled based on traveler needs:

Once the directory service 12 has been accessed, the traveler 14 specifies 32 a departure site and date, and also specifies 34 a destination. The directory service 12 calculates 36 a flight distance between the specified departure site and the specified destination. The traveler also specifies 38 the number of passengers for which such travel is desired.

The directory service 12 then assigns 40 an aircraft for the requested flight. The aircraft to be assigned is most typically selected on the basis of the distance to be traveled and/or the number of passengers.

Rosenblatt, Col. 6, lines 13-22 (emphasis added). Using pre-scheduled flights would prevent travelers from specifying an arbitrary departure site, departure date, and destination, since only those departures and destinations associated with pre-scheduled flights would be available. One of skill in the art therefore would not modify Rosenblatt to include the claimed features, and the claims are patentable over the cited art.

Based on the above remarks, Applicants believe the claims are in condition for allowance. The Commissioner is authorized to charge any fees or credit any overpayment to the deposit account of Kenyon & Kenyon LLP, Deposit Account No. 11-0600.

The Examiner is invited to contact the undersigned to discuss any matter concerning this application.

Respectfully submitted,

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